

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 DARREN HEYMAN,

4 Plaintiff

5 v.

6 STATE OF NEVADA EX REL. BOARD OF
7 REGENTS OF THE NEVADA SYSTEM OF
8 HIGHER EDUCATION ON BEHALF OF
9 UNIVERSITY OF NEVADA, LAS VEGAS,
et al.,

Defendants

Case No.: 2:15-cv-01228-APG-DJA

**Order Denying Pending Motions and
Setting Trial**

[ECF Nos. 505, 508, 510]

10 The parties have been unable to agree on a proposed Joint Pretrial Order. Plaintiff Darren
11 Heyman has ignored my prior admonition not to engage in *ad hominem* attacks and to narrow the
12 proposed Pretrial Order by excluding irrelevant and inadmissible facts and evidence. *Compare*
13 ECF No. 501 *with* ECF No. 515. It is obvious that further engagement about the proposed
14 Pretrial Order will create more frustration for the parties and me and result in more unnecessary
15 motions. No one benefits from that. Instead, I will set this matter for trial and a settlement
16 conference. Given the court's backlog because of the Covid-19 pandemic, I am unable to
17 schedule this trial in 2020.

18 I THEREFORE ORDER as follows:

- 19 1. All pending motions (**ECF Nos. 505, 508, 510**) are **DENIED**.
- 20 2. This case is set for jury trial on the stacked calendar on **January 25, 2021** at
21 9:00 a.m. in Courtroom 6C. Calendar call will be held on **January 19, 2021**
22 at 8:45 a.m. in Courtroom 6C. The trial will last no more than five days. The
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1 parties are to streamline their presentations accordingly. If needed, I will
2 allocate the time between the parties.

- 3 3. The parties will be referred to a settlement conference with a Magistrate
4 Judge. Separate orders about that settlement conference will follow. The
5 failure to participate in that settlement conference in good faith will result in
6 sanctions on the recommendation of the Magistrate Judge.
- 7 4. If the case does not settle, the parties will thereafter confer about the
8 documents, witnesses, and depositions to be presented at trial. The parties
9 shall submit a proposed joint pretrial order containing only the items listed in
10 Local Rule 16-3(b)(8-12) by **October 22, 2020**. Motions in limine, if any,
11 must be filed by **November 6, 2020**.

12 DATED this 4th day of June, 2020.

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15 ANDREW P. GORDON
16 UNITED STATES DISTRICT JUDGE
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